

Docket No. 55618

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MAY 25 2001

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Scheffler et al.
SERIAL NO.: 09/806,603
FILED: March 30, 2001
FOR: CIRCUIT FOR FRAME RATE CONVERSION

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

SIR:

DECLARATION IN SUPPORT OF PETITION UNDER 37 CFR 1.10(d)

I, Peter F. Corless, declare as follows:

1. I am the attorney handling the above-referenced application.
2. I filed the above-referenced application with the U.S. Patent and Trademark Office ("USPTO") on March 30, 2001 as a 35 U.S.C. 371 national entry case. My file copy of the application documents as filed with the USPTO is enclosed. The application was filed with the USPTO pursuant to 37 CFR 1.10.
3. Our law firm received this month the Notification of Missing Requirements for the application. On March 7, 2001, I received the executed Rule 63 Declaration from the Applicants. Earlier today, I reviewed the application file to prepare a response to the Notification of Missing Requirements. Upon reviewing the file, I noticed that the postcard receipt of the application listed April 2, 2001 as the USPTO "date received" date.

4. I then proceeded to telephone today the USPTO Petitions Office. A Petitions Office representative related that the USPTO records currently show that the filing date for the application is April 2, 2001. That date of April 2 is the next business day after March 30.

5. Earlier today, I also discussed with the USPTO Petitions Office representative the procedures for correcting the application filing date to March 30, 2001. The Petitions Office representative also recommended that this Petition be submitted by hand-delivery to the Petitions Office at Crystal Plaza 4. I am having the Petition hand-delivered to the Crystal Plaza 4 Office by tomorrow, May 25, 2001.

6. As further support for this Petition, I enclose a true copy of my letter to the Applicants' European representative confirming the filing of the application on March 30, 2001. That letter was prepared the next business day after the filing of the application on March 30, 2001.

7. Also enclosed herewith is a statement of my assistant, Deanna Rivernider, which includes a copy of the relevant page of our office Express Mail log.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code, and that such false statements may jeopardize the validity of the application or any patent issued thereon.

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Date: MAY 24, 2001

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter F. Corless', written over the printed name.

Peter F. Corless (Reg. 33,860)
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